

LEGISLATURE OF NEBRASKA  
NINETY-NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 164**

Introduced by Bourne, 8

Read first time January 7, 2005

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to health care facilities; to amend section  
2 71-433, Reissue Revised Statutes of Nebraska; to provide  
3 notification requirements relating to health care  
4 facility license applications; and to repeal the original  
5 section.  
6 Be it enacted by the people of the State of Nebraska,

1                   Section 1.   Section 71-433, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   71-433.   (1) An applicant for an initial or renewal  
4 license to operate a health care facility or health care service  
5 required to be licensed under the Health Care Facility Licensure  
6 Act shall file a written application with the department. The  
7 application shall be accompanied by the license fee set pursuant to  
8 section 71-434 and shall set forth the full name and address of the  
9 facility or service to be licensed, the full name and address of  
10 the owner of such facility or service, the names of all persons in  
11 control of the facility or service, and additional information as  
12 required by the department, including affirmative evidence of the  
13 applicant's ability to comply with rules and regulations adopted  
14 and promulgated under the act. The application shall include the  
15 applicant's social security number if the applicant is an  
16 individual. The social security number shall not be public record  
17 and may only be used for administrative purposes. The application  
18 shall be accompanied by a written certification from the political  
19 subdivision that has local zoning authority over the site of the  
20 proposed facility, certifying that the proposed facility would  
21 comply with applicable zoning regulations.

22                   (2) The application shall be signed by (a) the owner, if  
23 the applicant is an individual or partnership, (b) two of its  
24 members, if the applicant is a limited liability company, (c) two  
25 of its officers, if the applicant is a corporation, or (d) the head  
26 of the governmental unit having jurisdiction over the facility or  
27 service to be licensed, if the applicant is a governmental unit.

28                   (3) Upon receipt of an application for a license to

1 operate a health care facility, the department shall immediately  
2 send notice of such pending application to the clerk of the city or  
3 village in which such facility will be located or to the clerk of  
4 the county in which such facility will be located if the facility  
5 is to be located in an area that is not within the corporate limits  
6 of any city or village. The notice shall contain the address of  
7 the proposed health care facility, the name and address of the  
8 proposed licensee, the type of health care facility license being  
9 applied for, and the maximum number of residents proposed for the  
10 health care facility, if any.

11           Sec. 2. Original section 71-433, Reissue Revised  
12 Statutes of Nebraska, is repealed.